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**REMARKS**

In the Office Action, the Examiner indicated that claims 1, 4, 7-11, and 14 are pending in the application and the Examiner rejected all claims.

By this amendment, claims 1 and 11 have been amended. Support for these amendments can be found throughout the specification, e.g., page 20, lines 5-11.

**Rejections under 35 U.S.C. §§102 and 103**

On page 2 of the Office Action, the Examiner rejected claims 1, 4, and 11 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0076842 to Johansson et al.

On page 5 of the Office Action, the Examiner rejected claims 7 and 14 under 35 U.S.C. §103(a) as being unpatentable over Johansson and further in view of U.S. Patent No. 6,856,804 to Ciotta. On page 6 of the Office Action, the Examiner rejected claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over Johansson and further in view of U.S. Patent Application Publication No. 2002/0025823 to Hara.

The claimed invention, as amended, includes a communication controller that stops outputting a signal when a determination unit determines that the portable device is in the disablement mode. It further includes a recognition information providing device that provides the determination unit with recognition information used to recognize which one of the disablement mode and a communication mode the portable device is in, in accordance with the selection by a selection device. In addition, it includes an instruction device that issues an

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instruction that instructs the portable device to issue a signal causing the communication controller to operate the predetermined driver when the portable device is in the disablement mode.

### **The §102 Rejection**

Claims 1, 4, and 11 were rejected under 35 U.S.C. 102(e) as being anticipated by Johansson et al. (US 2003/0076842 hereinafter "Johansson"). Applicant traverses this rejection.

Johansson does not disclose that 1) the communication controller stops outputting a signal when the determination unit determines that the portable device is in the disablement mode, 2) a recognition information providing device which provides the determination unit with recognition information used to recognize which one of the disablement mode and the communication mode the portable device is in, in accordance with the selection by the selection device, and 3) an instruction device issues an instruction which instructs the portable device to issue a signal causing the communication controller to operate the predetermined driver when the portable device is in the disablement mode, as recited in amended claim 1 (and in claim 11).

Rather, Johansson discloses that a master always polls a slave regardless of the mode of the slave and the slave answers a poll from the master (see paragraph [0052]). That is, the slave does not stop outputting a signal when the slave is in the disablement mode, the slave does not provide the master with recognition information in accordance with the selection by a selection device, and slave does not issue a signal causing the master to operate a predetermined driver when the slave

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is in a disablement mode. Further, nothing in Johansson suggests including these elements or functionality. Accordingly, claims 1, 4, and 11 are not anticipated by Johansson.

### **The §103 Rejections**

Claims 7 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson as applied to claims 1 and 11 above, and further in view of Ciotta (US 6,856,804). Applicant traverses this rejection.

Like Johansson, Ciotta neither teaches nor suggests 1) the communication controller stopping the outputting of a signal when the determination unit determines that the portable device is in the disablement mode, 2) a recognition information providing device which provides the determination unit with recognition information used to recognize which one of the disablement mode and the communication mode the portable device is in, in accordance with the selection by the selection device, and 3) an instruction device issuing an instruction that instructs the portable device to issue a signal causing the communication controller to operate the predetermined driver when the portable device is in the disablement mode, as recited in amended claims 1 and 11.

Since Ciotta also does not disclose the above features of claims 1 and 11, and since claims 7 and 14 depend from claims 1 and 11, respectively, those claims are patentable for at least the same reasons that claims 1 and 11 are patentable.

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Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson as applied to claim 1 above, and further in view of Hara (US 2002/0025823). Applicant traverses this rejection.

Like Ciotta and Johansson, nothing in Hara neither teaches nor suggests 1) the communication controller stopping outputting of a signal when the determination unit determines that the portable device is in the disablement mode, 2) a recognition information providing device which provides the determination unit with recognition information used to recognize which one of the disablement mode and the communication mode the portable device is in, in accordance with the selection by the selection device, and 3) an instruction device issuing an instruction that instructs the portable device to issue a signal causing the communication controller to operate the predetermined driver when the portable device is in the disablement mode, as recited in amended claims 1 and 11.

Since Hara also does not disclose the above features of claim 1, and since claims 8-10 directly or indirectly depend from claim 1, those claims are patentable for at least the same reasons that claim 1 is patentable.

### **Conclusion**

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

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The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-4364.

Respectfully submitted

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